

IN THE UNITED STATES DISTRICT COURT
FOR THE _____

COMPLAINT

JEROME A. SMALL,
Plaintiff

CIVIL ACTION

V.

JURY TRIAL DEMANDED

K. KAUFFMAN, Superintendent,
Defendant
CONNIE GREEN, Superintendent
Assistant/Grievance Coordinator
Defendant

FILED
SCRANTON

JUL 20 2020

PER 
DEPUTY CLERK

COMPLAINT

Jerome A. Small, pro se, for this complaint states as follows:

Since March, 2020, the inmates housed at SCI-Huntingdon have been exposed at a high rate to the Covid - 19 virus because of the conditions of the prison there is NO VENTILATION, there has been 183 positive cases and 5 deaths, over 54 staff members have tested positive. Mr. Kauffman is the superintendent, as the superintendent of the prison, the defendant manages it's day-to-day operations and executes it's policies, he allows his staff to come to work without the correct PPE, but rather the wear scarfs, bandannas. Mr. Kauffman Knows that there is no ventilation and if it made it's way into this prison it would be bad ... When the state takes a person into its custody and holds him there against his will, the constitution imposes upon it a corresponding duty to assume some responsibility for his safety and general well being ... The rational for this principle is simple enough: when

the state by the affirmative exercise of its power so restrains an individual's liberty that it renders him unable to care for himself, and at the same time fails to provide for his basic human needs -- e.g., food, clothing, shelter, medical care, and reasonable safety -- it transgresses the substantive limits on state action set by the Eighth Amendment. This is a unsafe, life threatening condition. Mr. Kauffman, the defendant has, with deliberate indifference, allowed the inmates at SCI-Huntingdon to be exposed to the Covid - 19 virus. And right now to date; July 13th, 2020, there is a whole block quarantined, and they have had to turn the gym into a make shift hospital, there are still inmates in there. Mr. Kauffman, staff pass out, meals, mail, jail house mail with out gloves on some with there mask down. I filed a grievance, Ms. Green, dismissed it, said it was untimely the evens are still on going mind you ...the jail just had recent cases. the inmates are locked down 23 ho||rs a day, at one point, in early June, we was locked down 24 hours a day, NO Showers, NO nothing ... if there is NO leadership as to the test or what has to happen to be able to work, the inmates in Huntingdon will remained locked down indefiantly.

II. Parties, Jurisdiction and Venue

Plaintiff,

1. Jerome A. Small, is confined at the SCI-Huntingdon, 1100 Pike Street, Huntingdon, Pa 16654-1112
2. Plaintiff, Jerome A. Small, is and was at all times mentioned herein, an adult citizen of the United States and a inmate at SCI-Huntingdon
3. Defendant # 1, Mr. Kauffman, is and at all relevant times herein the Superintendent of the SCI-Huntingdon, as the superintendent of the prison, defendant manages it's day-to-day operations and executes its policies
4. Defendant # 2, Connie Green, was at all relevant times herein the superintendent's assistant and the grievance coordinator

III. Previous Lawsuits by Plaintiff

Plaintiff has filed no pther lawsuits dealing with the same facts involved in this action.

IV. Exhaustion of Administrative Remedies

The plaintiff filed a grievance on 6.19.20, it was denied stating that my grievance was not submitted 15 working days after the events upon which claims are based.

V. Statement of Claim

It is cruel and unusual punishment, in violation of the Federal Constitution's Eighth Amendment by allowing and continue to allow the prison personnel, with deliberate indifference, to expose the inmates here at SCI-Huntingdon prison with no ventilation to the Covid - 19 virus, this pose a unreasonable risk of serious danger to the plaintiff's health. The current conditions of SCI-Huntingdon violate the Eighth Amendment requires.

VI. Statement of Facts

There has been 183 positive cases and counting here at SCI-Huntingdon, 5 deaths and counting, 54 staff have tested positive and 11 cases pending and counting. Right now to date, 7/13/20 there is a whole block quarantined because of a out brake. The plaintiff is being exposed to a very serious virus by staff who pass out; meals, mail, jailhouse mail, without gloves and the correct PPE. When inmates, one three cells away from me and other nine cells away, they never just tested the whole block. Where locked down 23 hours a day.

VII. Prayer For Relief

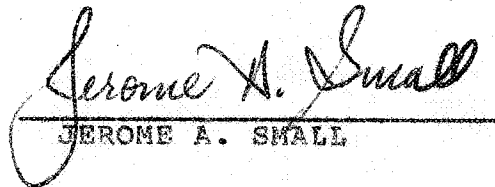
That this Court mandate PPE requirements for officers to follow and a order for the plaintiff to have a single cell.

The plaintiff request an order declaring that the defendants have acted in violation of the United States Constitution.

The plaintiff request an injunction compelling defendant to make there staff wear the correct PPE and stop, Bandannas, scarfs and coverings that's not PPe regulated and wear gloves when passing out meals, mail or jail house mail.

The plaintiff request \$150,000.00 as compensatory damages

signed this 13th day of July, 2020


JEROME A. SMALL

I declare under penalty of perjury that the forgoing
is true and correct

Date: 7/13/20



July 13th, 2020

To: Whom it May Concern,

My Name is Jerome Small, and I Would like these two Summons and Complaints Served to the Named defendants

Mr. K. Kauffman
1100 Pike Street
Huntingdon, Pa 16654-1112

Ms. Connie Green
1100 Pike Street
Huntingdon, Pa 16654-1112

I've enclosed to Copies of the Summons and Complaint I've forward the original to the Courts. Thank you for your attention to my matter

Respectfully Submitted

Jerome Small

Jerome A. Small # HF-6068
1100 Pike Street
Huntingdon, Pa 16654-1112

RECEIVED
SCRANTON

JUL 20 2020

PER

ED

DEPUTY CLERK

UNITED STATES
TO: THE U.S.
235 N. 6
P.O. B
Scranton,